

Message Text

SECRET

PAGE 01 STATE 017339

62
ORIGIN EUR-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 INRE-00 PM-07 NSC-10

SPC-03 SS-20 RSC-01 IO-14 CIAE-00 INR-10 NSAE-00

OMB-01 TRSE-00 EB-11 L-03 MC-02 PRS-01 DODE-00 H-03

/112 R

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APPROVED BY EUR - WSTABLER

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OSD/OGC - MR. J. ALLEN

JCS - GEN. BECKNOR

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FM SECSTATE WASHDC

TO AMEMBASSY BONN IMMEDIATE

S E C R E T STATE 017339

E.O. 11652: GDS

TAGS: MILI, PFOR, XF, GW

SUBJ: AMMUNITION SHIPMENTS FROM FRG

REF: BONN 353; STATE 8243; STATE 5963; ECJU 474;

JCS 1384; ECJ4 1408

1. WE UNDERSTAND FROM DOD THAT, ALTHOUGH THIS MATTER HAS BEEN RAISED THROUGH THE DOD-MOD CHANNELS, THE MOD HAS INDICATED THAT, IN THIS ABNORMAL SITUATION, MIDGARD LEGAL PROBLEM FALLS OUTSIDE THE SCOPE OF MOD COMPETENCE. DOD FURTHER REPORTS THE MATTER CAN BE RESOLVED ONLY THROUGH A LONG COURT FIGHT OR BY GREATER DEGREE OF FRG PRESSURE ON MIDGARD. THEREFORE, REQUEST EMBASSY APPROACH
SECRET

SECRET

PAGE 02 STATE 017339

FONOFF AS SOON AS POSSIBLE AT HIGHEST APPROPRIATE LEVEL

TO SEEK RESOLUTION.

2. YOU SHOULD REPLY TO FONOFF REQUEST TO AMEND CONTRACT
WITH MIDGARD ALONG THE FOLLOWING LINES:

A) USAREUR - MIDGARD CONTRACT DATED 6 JANUARY 1972 IS
IN EFFECT AND IS BINDING UNTIL 30 APRIL 1974.

B) US MILITARY REPRESENTATIVES IN EUROPE ARE PREPARED
TO MEET AT THE EARLIEST CONVENIENT DATE WITH REPRESENTA-
TIVES OF MIDGARD IN ORDER TO BEGIN DISCUSSIONS CONCERNING

SUBSTANCE OF CONTRACT TERMS AND CONDITIONS WHICH SHOULD
REPLACE EXISTING CONTRACT ON MAY 1, 1974.

C) IN THE EVENT THAT TERRORIST ATTACK TAKES PLACE
PRIOR TO EXPIRATION OF PRESENT CONTRACT, USG PREPARED
TO DISCUSS JOINT SHARING OF CLAIMS. (FYI. AGREEMENT
TO SHARE CLAIMS MAY REQUIRE CONGRESSIONAL ACTION. END
FYI.)

D) WE WOULD WELCOME ASSURANCES FROM GERMAN GOVERNMENT
THAT MIDGARD WILL CONTINUE TO CARRY OUT OBLIGATIONS UNDER
EXISTING CONTRACT; SPECIFICALLY, THAT MIDGARD WILL LOAD
AMMO ON CORSAIR AND ACCEPT SUCH FURTHER US AMMO SHIPMENTS
OUT OF FRG AS ARE REQUIRED.

E) A FAVORABLE REPLY IS REQUESTED BY 1 FEB TO INSURE
SUFFICIENT OUTLOADING AND INLAND TRANSIT TIME TO MEET
14 FEB SHIPPING DATE. KISSINGER

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NNN

Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SECURITY, AMMUNITION, CARGO INSURANCE, CONTRACTS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 JAN 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE017339
Document Source: CORE
Document Unique ID: 00
Drafter: COL.BPARR/EUR/CE:HWILGIS:DAM
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740114/aaaaamxu.tel
Line Count: 91
Locator: TEXT ON-LINE
Office: ORIGIN EUR
Original Classification: SECRET
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: SECRET
Previous Handling Restrictions: n/a
Reference: BONN 353; STATE 8243; STATE 5963; EC, JU 474;
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 01 MAY 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <01 MAY 2002 by martinml>; APPROVED <26 NOV 2002 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: AMMUNITION SHIPMENTS FROM FRG
TAGS: MILI, PFOR, XF, GE, MIDGARS TRANSPORTATION FIRM
To: BONN
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005